In the High Court of Uttaranchal, at Nainital.

(Stay Application No. 10476/2006)

in

Criminal Writ Petition No. 1018/2006(M/B)

Sahnavaj and 28 others ... Petitioners.

Versus

State of Uttaranchal and

two others ... Respondents.

Sri Vivek Shukla, learned counsel for the petitioners.

Sri D.K. Sharma, learned G.A. for the State.

Hon'ble B.C. Kandpal, J.

Hon'ble Prafulla C. Pant, J.

By way of this petition the petitioner has sought the following reliefs:-

(a) To issue a writ, order or direction in the nature of certiorari quashing the F.I.R. as case crime No. 79/2006, U/Ss 147, 148, 149, 323, 307 I.P.C., P.S. Pathri, District Haridwar, contained in Annexure-1 to the writ petition.

(b) To issue a writ, order or direction in the nature of mandamus commanding the respondent Nos. 1 and 2 not to arrest the petitioners in the aforesaid case crime during the pendency of the petition.

2- Heard learned counsel for the petitioners, learned G.A. and perused the record.

3- After having considered the arguments advanced by the learned counsel for the parties and perusing the material available before us, we are of the opinion that the indulgence of the court is not required in the

matter under Article 226 of the Constitution of India, for grant of any of the reliefs sought by the petitioners.

4- The writ petition lacks merit and is dismissed in limine.

5- The stay application also stands rejected.

(P.C. Pant, J.) **(B.C.Kandpal,J.)**

Dated: 19-08-2006
ISB